REMARKS

Claims 11, 12, 14-23 and 27-35 are pending in this application, where claims 30-32 have been amended.

Claims 30-32 have been amended to refer to only one preceding claim, namely claim 11, 14 and 15, respectively. This amendment is for the sole reason of advancing prosecution. Applicants, by amending any claims herein, make no admission as to the validity of any rejection made by the Examiner against any of these claims. Applicants reserve the right to reassert any of the claims canceled herein or the original claim scope of any claim amended herein, in a continuing application. Support for claims 30-32, as amended, can be found through the specification and claims as originally filed.

The Sequence Listing has been amended to delete the signal peptides of the SEQ ID NOs: 7, 9, 10 and 11. That is, 72 nucleotides are deleted from the SEQ ID NO: 7 and 24 amino acids are each deleted from the SEQ ID NO: 9, 10 and 11.

No new matter has been added.

In view of the remarks set forth herein, further and favorable consideration is respectfully requested.

I.   ***At page 2, of the Official Action, claims 30-35 are objected to under CFR 1.75(c) as being improper form due to multiple dependency.***

Applicants traverse this objection. Claims 30-32, as amended, refer to only one preceding claim, namely claim 11, claim 14 and claim 15, respectively, and claims 33-35 refer to "any one" of claims 30-32. Accordingly, none of claims 30-35 refers to multiple claims any of which refers back to a multiple dependent claim.

Accordingly, withdrawal of this rejection is respectfully requested.

II.   ***At page 3, of the Official Action, claims 12, 14, 15, 18, 19, 22, 23, 28 and 29 are rejected under 35 USC 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.***

The Examiner indicates in the Official Action that claim 12 claims a mutant lipase protein where the 219 leucine is replaced by proline as presented by SEQ ID NO: 9, but SEQ ID NO: 9 in the sequence listing is not L219Q but L219S. The Examiner further indicates that claims 14, 15 and 19 have same problem as in claim 12 with regard to SEQ ID NOs: 10, 11 and 7, respectively.

Applicants traverse this rejection. Applicants respectfully submit that it seems that the Examiner counted the numbers of amino acids and nucleotides of the SEQ ID. NOs: 7, 9, 10 and 11 including their signal peptides. However, as described in the Remark above, Applicants deleted signal peptides from SEQ ID NOs: 7, 9, 10 and 11 in the amended sequence list. The location of the signal peptides in each of SEQ ID NOs: 7, 9, 10 and 11 are apparent when taking into consideration the sequence list internationally published under PCT Article 21 and submitted with the PTO on March

11, 2005. The amended sequence list has no signal peptides in SEQ ID NOs: 7, 9, 10 and 11 and they are identified to be in accordance with the description of claims 12, 14, 15 and 19, with regard to the location replaced.

Accordingly, Applicants submit that claims 12, 14, 15 and 19 and their dependent claims 18, 22, 23, 28 and 29 are definite under 35 USC 112, 2nd paragraph.

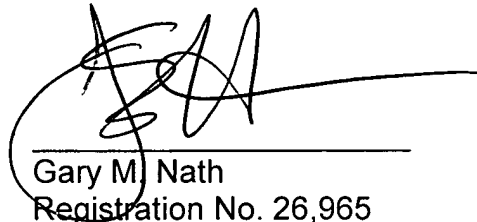Withdrawal of this rejection is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance. Early notice to that effect is earnestly solicited. The Examiner is invited to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

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